

# PUBLIC NOTICE

Notice to Water Users  
(Pursuant to Section 85-2-307, MCA)

The following application has been submitted to change a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION TO CHANGE A WATER RIGHT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <https://dnrc.mt.gov/Water-Resources/Water-Rights/>.

**OBJECTION DEADLINE: FEBRUARY 16, 2024.** THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 FAX: 406-587-9726 PHONE: 406-586-3136.

**Application Number:** 43A 30158495

**Applicant:** RED DOG RANCH LLC  
396 NE OATS AVE  
MADISON, FL 32340 3834

**WATER RIGHT NUMBER(S) BEING CHANGED**

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	43A 26078-00	JUNE 1, 1921
Historical Flow Rate: 12.5 CFS	Historical Consumptive Volume: 251.58 AC-FT	Historical Diverted Volume: 484.36 AC-FT
STATEMENT OF CLAIM	43A 26079-00	JULY 1, 1898
Historical Flow Rate: 2.5 CFS	Historical Consumptive Volume: 50.32 AC-FT	Historical Diverted Volume: 95.71 AC-FT
STATEMENT OF CLAIM	43A 26080-00	JUNE 25, 1889
Historical Flow Rate: 4. CFS	Historical Consumptive Volume: 80.51 AC-FT	Historical Diverted Volume: 153.41 AC-FT

**PAST USE OF WATER**

WATER RIGHTS 43A 26078-00, 43A 26079-00, 43A 26080-00 ARE IRRIGATION CLAIMS USED FROM 4/1-10/15. THE WATER RIGHTS ARE ENTIRELY SUPPLEMENTAL AND ALL IRRIGATE 310.7 ACRES IN SECTION 25, T3N, R7E, GALLATIN COUNTY. WATER IS DIVERTED FROM POINTS OF DIVERSION LOCATED AT THE COWAN HEADGATE IN THE NWNESE SECTION 26, T3N, R7E, GALLATIN COUNTY AND THE COWAN-JOHNSON HEADGATE IN THE SWNESW SECTION 26, T3N, R7E, GALLATIN COUNTY. WATER WAS HISTORICALLY DIVERTED AT 12.5 CFS UP TO 484.36 AF FROM FLATHEAD CREEK UNDER 43A 26078-00. WATER WAS HISTORICALLY DIVERTED AT 2.5 CFS UP TO 95.71 AF FROM FLATHEAD CREEK UNDER 43A 26079-00. WATER WAS HISTORICALLY DIVERTED AT 4 CFS UP TO 153.41 AF FROM FLATHEAD CREEK UNDER 43A 26080-00. THE COMBINED DIVERTED VOLUME IS 733.48 AF, AND THE COMBINED CONSUMED VOLUME IS 382.41 AF.

**PROPOSED CHANGE**

THE APPLICANT PROPOSES TO CHANGE THE POINT OF DIVERSION FOR STATEMENT OF CLAIM NOS. 43A 26078-00, 43A 26079-00, AND 43A 26080-00 TO ADD A POINT OF DIVERSION AT A PUMP SITE FROM FLATHEAD CREEK. THE PROPOSED PUMP IS IN THE NESWNE SECTION 25, T3N, R7E, GALLATIN COUNTY. THE PROPOSED POINT OF DIVERSION WILL BE USED WITH HISTORICAL POINTS OF DIVERSION. NO CHANGE IN PURPOSE, PLACE OF USE, OR PLACE OF STORAGE IS PROPOSED. WATER WILL CONTINUE TO BE DIVERTED FROM APRIL 1 TO OCTOBER 15 FOR IRRIGATION OF 310.7 ACRES. THE PROJECT IS LOCATED IN GALLATIN COUNTY AND THE SOURCE IS FLATHEAD CREEK.

**PUBLISHED IN:** BOZEMAN DAILY CHRONICLE ON JANUARY 3, 2024.